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| 09/919,286 | 07/31/2001 | John D. Kersten | 260/131 | 2483 |
| 7590 BRANDON N. SKLAR KAYE SCHOLER, LLP 425 PARK AVENUE NEW YORK, NY 10022 | | 11/10/2009 | EXAMINER CATTUNGAL, SANJAY | |
| | | | ART UNIT 3768 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/919,286

Applicant(s)

KERSTEN ET AL.

Examiner

SANJAY CATTUNGAL

Art Unit

3768

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-15, 17-26, 28-30, 32, 33 and 37-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 17, 52, 55, 56, 62 and 63 is/are allowed.
- 6) ☒ Claim(s) 12-15, 18-26, 28-30, 32, 33, 37-51, 53, 54, 57-61, and 64 is/are rejected.
- 7) ☒ Claim(s) 28-30, 32, and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/9/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-840)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments see Remarks, filed 09/24/09, with respect to the rejection(s) of claim(s) 1-6, 8-15, 17-26, 28-30, 32, 33, and 37-64 under 103 rejection have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. As such Claims 1-11, 17, 52, 55, 56, 62, and 63, are allowable. However, upon further consideration, a new ground(s) of rejection is made with respect to claims 12-15, 18-26, 37-51, 53, 54, 57-61, and 64 in view of U. S. Patent No. 5,924,646 to Pouya. Claims 28-30, 32, 33 are objected.

Claim Objections

2. Claim 28-30, 32, and 33 and its dependents are objected to because of the following informalities: A claim cannot be dependent of a preceding. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 12-15, 18-26, 37-51, 53, 54, 57-61, and 64, are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,198,285 to Kormos et al. U. S. Patent No. 6,503,188 to August further in view of U. S. Patent No. 5,493,802 to Simson further in view of U. S. Patent No. 5,924,646 to Pouya.**
5. Regarding **Claims 12 and 37-42, 55, and 57-61 and 64**, Kormos teaches a room for use in conducting medical procedures, comprising: a floor, a ceiling, and at least one wall between the floor and the ceiling (Fig. 1 element 14); a magnetic resonance imaging assembly having an imaging volume, the magnetic resonance imaging assembly being at least partially within the room (Fig. 1 element 15); and a display (Fig. 1 element 24).
6. Kormos does not expressly teach a screen; a plurality of images on the screen; a track attached to at least the ceiling of the room, and extending across at least a portion of the room, the track defining a groove extending across at least a portion of the length of the track, to receive a portion of the screen; and means a belt attachable to the portion of the screen, the belt being movable at least in part within the groove for moving the portion of the screen through the groove to move the screen across the room to display a selected one of the plurality of images.
7. August teaches a rollable screen that has a plurality of images, attachable on the walls or the ceilings (Figs. 1-7).
8. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kormos with a rollable screen with a plurality of images as taught by

August, since such a setup would result in relaxing the patient, moreover Kormos teaches the use of an LCD screen, capable of displaying images, hence the screen of August is an obvious variant of the LCD screen as it meets the same functions.

9. Kormos and August teach all of the above claimed limitations but do not expressly teach a track, the track defining a groove extending across at least a portion of the length of the track, to receive a portion of the screen; and means a belt attachable to the portion of the screen, the belt being movable at least in part within the groove for moving the portion of the screen through the groove to move the screen across the room to display a selected one of the plurality of images.

10. Simson teaches a track, the track defining a groove extending across at least a portion of the length of the track, to receive a portion of the screen (Fig.7 elements 90 and 91).

11. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kormos and August to use a track, the track defining a groove extending across at least a portion of the length of the track, to receive a portion of the screen as taught by Simson since such a setup would result in more efficient use of the rollable display as the screen would be controlled and aligned as the screen will not undergo any twisting, as the screen is snug to the groove.

12. Kormos, August and Simson teach all of the above claimed limitations but do not expressly teach a belt attachable to the portion of the screen, the belt being movable at least in part within the groove for moving the portion of the screen through the groove to move the screen across the room to display a selected one of the plurality of images.

13. Pouya teaches an assembly of displaying a screen by attaching the screen to a belt via VELCRO (Figs. 4 and 6).

14. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kormos, August, and Simson with an assembly of displaying a screen by attaching the screen to a belt via VELCRO as taught by Pouya, since such a setup will result in the rollable display being snugly attached to the belt, while its being displayed and further unattached and wound at the other end as shown in Fig. 4 element 72.

15. Regarding **Claim 13**, August teaches that the screen comprises first and second side, each comprising at least one image (Figs. 1-6).

16. Regarding **Claims 14, 46, 47, 50, and 51**, Pouya Fig. 6 teaches means for attaching screen to the belt.

17. Regarding **Claim 15**, Pouya Fig. 6 teaches use of VELCRO for easy attachment and release of screen from the belt.

18. Regarding **Claim 18**, Simson teaches the use of pulley system and motor to move the belt (Abstract and Col. 1 lines 49-52).

19. Regarding **Claim 19**, August teaches the screen is viewable from exterior (Fig. 7) every room will inherently have a window (entry/door to the room) and the screen will be viewable from the entry point.

20. Regarding **Claim 20**, Kormos, August, Simson and Pouya teach all of the above claimed limitations. Simson further teaches a delivery cartridge and a take up cartridge which is movable by moving means (Fig. 7 element 71 and 72).

21. Regarding **Claims 21-23, and 26**, Kormos, August, Simson and Pouya teach all of the above claimed limitations. Pouya further teaches use of a VELCRO (Fig. 6).
22. Regarding **Claim 24**, Simson teaches the use of a Pulley, a torque convertor, and the pulley being connected to the motor (Abstract and Col. 1 lines 49-52).
23. Regarding **Claims 25 and 45**, Simson teaches the use of a track, and different shapes of the track are obvious variants of each other (Fig.7 elements 90 and 91).
24. Regarding **Claim 43**, August teaches providing sound in the room (fig. 7 element 721).
25. Regarding **Claim 44**, August teaches providing aroma in the room (fig. 7 element 725).
26. Regarding **Claims 48, 49, 52, 53, and 54**, Simson teaches the use of backlighting which has illumination (Col. 3 lines 9-13).
27. **Claims 48 and 53, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kormos, August, Simson, and Pouya further in view of Overweg (U.S. Patent No. 5,917,395).**
28. Regarding **Claims 8, 48, and 53**, Kormos, August, Simson and Pouya, teach all of the features of the present invention except for expressly disclosing a ceiling that is illuminated.
29. Overweg teaches an MRI system having ceiling-mounted illumination (col. 3, lines 5-9 and col. 4, lines 27-30).

30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide lighting on the ceiling of the room so that the room is adequately lit for movement within the room and viewing of the screen.

31. **Claims 13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kormos, August, Simson and Pouya, and further in view of Saylor et al. (U.S. Patent No. 4,173,087).**

32. Regarding **Claims 13 and 21**, Kormos, August, Simson and Pouya, teaches all of the features of the present invention except for expressly disclosing that the screen is printed on both sides and that the screen is movable to display the image on the front side or the backside.

33. Saylor et al. discloses a system using a scroll-style display where the screen is printed on both sides (col. 1, lines 53-62 and col. 2, lines 49-52) and where rollers are set up such that the screen moves around the rollers to display the images on the front and the back sides (col. 2, lines 52-57 and col. 4, lines 30-33).

34. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a two-sided screen and system displaying images on either side of Saylor et al. with the scrollable display apparatus of Kormos and August in order to shorten the length of screen needed to provide the number of images desired and to increase the efficiency of the system by reducing the length of time it takes to switch from an image at one end of the screen to one at the other end (see Saylor et al. at col. 1, lines 35-40).

Allowable Subject Matter

35. Claim 1-11, 17, 52, 55, 56, 62, and 63 are allowed.

Conclusion

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANJAY CATTUNGAL whose telephone number is (571)272-1306. The examiner can normally be reached on Monday-Friday 9-5.

37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on (571) 272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

38. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SPC

/Long V Le/
Supervisory Patent Examiner, Art Unit 3768